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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,493	03/11/2004	Chang Soo Kim	1824.02	6323
29338	7590	12/08/2005	EXAMINER	
PARK LAW FIRM 3255 WILSHIRE BLVD SUITE 1110 LOS ANGELES, CA 90010			HOGE, GARY CHAPMAN	
			ART UNIT	PAPER NUMBER
			3611	

DATE MAILED: 12/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/798,493

Applicant(s)

KIM, CHANG SOO

Examiner

Gary C. Hoge

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/11/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by London (1,714,882).

London discloses a sign system comprising: a base frame **16** mounted on a wall or a ceiling; and a plurality of replacement panels **20** (a different panel being manufactured for each address), each having at least one opening (Fig. 1), wherein a selected one of the replacement panels is detachably hooked in hook rails **11**, **13** of the base frame, wherein the opening is covered by a colored member **22** (see page 1, lines 90-94).

Regarding claim 2, London discloses that the colored member may be “of some suitable color” (page 1, line 92). This inherently encompasses any and all colors. Further, the recitation that the colors signify a men’s restroom sign, an elevator sign, etc., colors can signify whatever one wishes them to signify. Therefore, this limitation does not define over the prior art.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over London (1,714,882).

London discloses the invention substantially as claimed, as set forth above. However, the colored member disclosed by London is glass, rather than acrylic. Because it is within the level of ordinary skill of a worker in the art to select from among known materials on the basis of their suitability for the fabrication of a given device, and since a person having ordinary skill in the art would know that an acrylic would be suitable for the fabrication of a colored member, it would have been obvious to one having ordinary skill in the art at the time the invention was made to fabricate the colored member disclosed by London from an acrylic as a matter of choice in design, based on such factors as cost and availability of the materials to the designer.

5. Claims 5 and 8-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over London (1,714,882) in view of Harper (4,587,753).

Regarding claims 5 and 16, London discloses the invention substantially as claimed, as set forth above. However, London does not disclose a circuit board, port, controller and flasher. Harper teaches that it was known to incorporate these elements (see Figs. 2 and 3) into a sign of the type disclosed by London. It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the aforementioned elements taught by Harper into the sign disclosed by London, in order to make the sign flash, if desired.

Regarding claims 8 and 18, London discloses the invention substantially as claimed, as set forth above. However, the colored member disclosed by London is glass, rather than acrylic. Because it is within the level of ordinary skill of a worker in the art to select from among known materials on the basis of their suitability for the fabrication of a given device, and since a person

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having ordinary skill in the art would know that an acrylic would be suitable for the fabrication of a colored member, it would have been obvious to one having ordinary skill in the art at the time the invention was made to fabricate the colored member disclosed by London from an acrylic as a matter of choice in design, based on such factors as cost and availability of the materials to the designer.

Regarding claims 9, 13, 19, 20, 22 and 23, London discloses that the colored member may be “of some suitable color” (page 1, line 92). This inherently encompasses any and all colors.

Regarding claims 10, 11, 14, 15, 20, 22 and 23, the recitation that the colors signify a men’s restroom sign, an elevator sign, etc., colors can signify whatever one wishes them to signify. Therefore, this limitation does not define over the prior art.

6. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over London (1,714,882) in view of Harper (4,587,753), as applied to claim 5, above, and further in view of Arnold (3,680,238).

London, as modified, discloses the invention substantially as claimed, as set forth above. However, the flasher is a separate element, rather than a flasher bulb. Arnold teaches that it was known in the art to use a flasher bulb to achieve the same effect. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a flasher bulb, instead of a separate flasher element, in the device disclosed by London, as taught by Arnold, as an obvious matter of choice in design.

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7. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over London (1,714,882) in view of Harper (4,587,753), as applied to claim 16, above, and further in view of Sauer (2,850,823).

London discloses the invention substantially as claimed, as set forth above. However, the sign is rectangular. Sauer teaches that it was known in the art to make a sign prismatic in shape in order that the sign can be read from two different directions. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the sign disclosed by London prismatic, instead of rectangular, as taught by Sauer, in order that the sign can be read from two different directions.

Conclusion

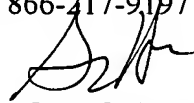
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary C. Hoge whose telephone number is (571) 272-6645. The examiner can normally be reached on 5-4-9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (571) 272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gary C Hoge
Primary Examiner
Art Unit 3611

gch